



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
3 WORLD FINANCIAL CENTER
ROOM 400
NEW YORK, NEW YORK 10281-1022

April 19, 2013

Via Facsimile: 212-805-7901

The Honorable Harold Baer, Jr.
United States District Judge
U.S. District Court for the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

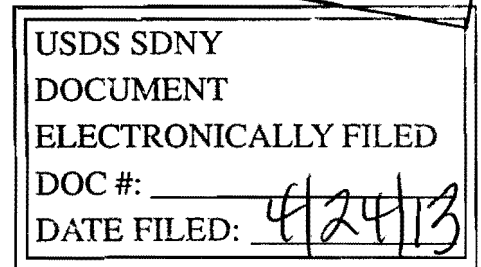
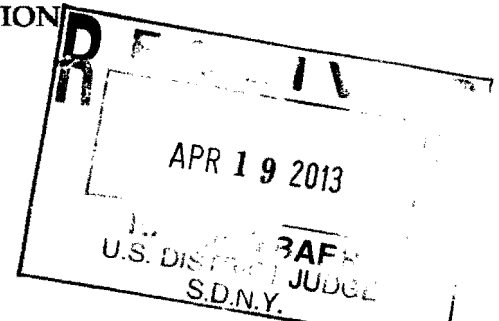
Re: *SEC v. Adondakis et al.*; 12 Civ. 0409 (HB)

Dear Judge Baer:

The undersigned represents Plaintiff Securities and Exchange Commission in the above-referenced action. Plaintiff writes to update the court on the status of the parallel criminal action against defendants Todd Newman and Anthony Chiasson, *US v. Newman et al.*, 12-cr-121 (RJS), and to request an extension of the current summary judgment calendar with respect those defendants in light of postponements in their respective sentencing dates. Counsel for defendants Newman and Chiasson have informed the undersigned that they each join in this request.

On December 17, 2012, a jury found defendants Newman and Chiasson guilty on all counts in the parallel criminal action. Sentencing was initially scheduled for April 19, 2013. On January 3, 2013, counsel for Plaintiff, Newman and Chiasson jointly requested that the Court remove this action from its Trailing Trial Calendar and postpone the fully submitted date for dispositive motions until after the sentencing of defendants Newman and Chiasson. The parties also noted in their request that in the event that sentencing dates were delayed, they would seek a further extension of the dispositive motion calendar. The Court so-ordered the parties' requests and set May 15, 2013 as the date for fully submitted dispositive motions.

In late March, Judge Sullivan adjourned the sentencing dates for defendants Newman and Chiasson until May 2, 2013 and May 13, 2013, respectively. The entry of judgment at sentencing in the criminal action will form the basis for the Plaintiff's motion for summary



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judgment and will likely simplify the remaining issues of remedies.¹ Thus, Plaintiff, joined by counsel for defendants Newman and Chiasson, respectfully request that the Court extend the summary judgment calendar in this action until July 12, 2013.

Should your Honor wish to discuss these issues further, the parties are available for a conference at the Court's convenience.

Respectfully submitted,

[Signature]
 Daniel R. Marcus
 Senior Counsel

cc: All Counsel (by email)

*Assessing this document I have
 overloaded for week day July and
 planned not to be here in July and
 should extend the summary judgment
 motion date to Wed June 26, 2013
 and perhaps you could provide me w/
 the status of all the D's for which I
 have the parallel court case.*

SO ORDERED:

[Signature]
 Harold Baer, Jr., U.S.D.J.
 Date: 4/24/13

¹ As noted in the January 3 letter, Plaintiff plans to move for summary judgment against defendants Newman and Chiasson on the basis of collateral estoppel, and counsel for Newman and Chiasson have informed the undersigned that, once judgment has been entered after sentencing, neither defendant will be opposing such motion as to the issue of liability. Thus, it is expected that the issues remaining for a ruling on summary judgment will be limited to remedies.

Endorsement:

Assuming this doesn't overload your work day I have planned not to be here in July and would extend the fully briefed motion date to Wednesday, June 26, 2013 and perhaps you could provide me with the status of all the defendants for which I have the parallel court case.